

B2030 (Form 2030) (12/15)

**United States Bankruptcy Court**  
**Eastern District of New York**

In re **Dowling College**

Debtor

Case No. 16-75545 (REG)

Chapter **11**

**DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR**

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor and that compensation paid to me within one year before the filing of the petition in bankruptcy for services rendered on behalf of the debtor in contemplation of or in connection with the bankruptcy case is as follows:

Prior to the filing of this statement, for prepetition bankruptcy-related services, I have received **\$ 340,268.67**

Balance Due \_\_\_\_\_ **\$ 0.00**

KWJS&S received compensation within the one year before the filing of the petition for pre-bankruptcy services in the amount of \$360,740.17. In addition, in connection with the execution of its engagement agreement as bankruptcy counsel, KWJS&S agreed to waive and wrote off all amounts outstanding to the firm for periods prior to June 1, 2016, which amount was calculated to be not less than \$31,699.54.

2. \$ **1,717.00** of the filing fee has been paid.

3. The source of the compensation paid to me was:

- ☒ Debtor      ☐ Other (specify): **KWJS&S received payments from both the Debtor and certain prepetition secured creditors and an escrow agent, on behalf of the prepetition secured creditors. See attached Schedule 1. \$116,952.67 remains as unapplied retainer funds that KWJS&S will carry into the Chapter 11 Case.**

4. The source of compensation to be paid to me during the Chapter 11 Case is:

- ☒ Debtor      ☐ Other (specify):

During this Chapter 11 Case, KWJS&S will receive compensation on an hourly basis, subject to the approval of the Bankruptcy Court and in compliance with Sections 330 and 331 of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Local Bankruptcy Rules, the United States Trustee's Guidelines for Fees and Disbursements issued by the Office of the United States Trustee, and such other procedures as may be fixed by order of the Bankruptcy Court, for professional services rendered and expenses incurred by KWJS&S. The current hourly rates charged for attorneys and paralegals are set forth in the Affidavit of Sean C. Southard, which can be found at Docket Entry 17, Exhibit B.

5. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members, counsel, associates or staff of my law firm.
- ☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.
6. In return for the above-disclosed prepetition fees, KWJS&S has agreed to render legal service for all aspects of preparation of the bankruptcy case. Following the petition date, KWJS&S has agreed to render legal services as general bankruptcy counsel and to be compensated based on hourly rates and reimbursement of fees as may be approved by the Bankruptcy Court.
7. By agreement with the debtor(s), the above-disclosed fee arrangements do not include the services and KWJS&S will not provide services to the Debtor concerning matters involving ERISA, tax, or labor relations.

**CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

**December 6, 2016**

*Date*

**/s/ Sean C. Southard**

**Sean C. Southard**

*Signature of Attorney*

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*Name of law firm*

**Schedule 1****Payments to KWJS&S During the Twelve Month Period Prior to the Chapter 11 Case**

Date	Description	Payments	Non-Debtor Transferor
1/5/2016	Pre-Bankruptcy services	\$31,419.64	
2/2/2016	Pre-Bankruptcy services	\$38,075.16	
4/6/2016	Pre-Bankruptcy services	\$20,995.74	
6/20/2016	Pre-Bankruptcy services	\$61,355.90	
7/20/2016	Pre-Bankruptcy services	\$22,275.34	Oppenheimer Funds
8/4/2016	Pre-Bankruptcy services	\$31,699.53	ACA Financial Guaranty Corp.
8/8/2016	Pre-Bankruptcy services	\$49,215.13	
8/31/2016	Pre-Bankruptcy services	\$59,094.51	
9/26/2016	Pre-Bankruptcy services	\$46,609.22	UMB Bank, National Association
	Pre-Bankruptcy SUBTOTAL	\$360,740.17	
9/30/2016	Bankruptcy Retainer	\$190,000.00	UMB Bank, National Association
10/25/2016	Additional Retainer	\$94,543.11	UMB Bank, National Association
11/4/2016	Additional Retainer	\$58,740.00	UMB Bank, National Association
11/18/2016	Additional Retainer	\$65,767.50	UMB Bank, National Association
11/23/2016	Additional Retainer	\$48,170.73	UMB Bank, National Association
	Bankruptcy Retainer SUBTOTAL	\$457,221.34 <sup>1</sup>	
	<b>TOTAL PAYMENTS IN YEAR</b>	<b>\$817,961.51</b>	

<sup>1</sup> This amount includes \$116,952.67 of unapplied retainer funds that KWJS&S will carry into the Chapter 11 Case. In addition, this amount excludes the filing fee of \$1,717 that was advanced by KWJS&S.